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7 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
8

9 UNITED STATES OF AMERICA ,

2:18-CR-239-RFB-GWF

10 Plaintiff,

**Stipulation to Modify the Binding Plea
Agreement as to Cameron Lee Thomas,
ECF No. 101**

11 v.

12 CAMERON LEE THOMAS,

13 Defendant.
14

15 The United States of America and Cameron Lee Thomas (defendant) and his
16 counsel, Raquel Lazo, agree as follows:

17 1. The government and Cameron Lee Thomas agree to modify the Plea Agreement
18 (ECF No. 101) to add property to be forfeited. The Plea Agreement will remain in effect as
19 to all other aspects of the agreement.

20 2. The defendant agrees to the forfeiture of the property and the imposition of the
21 forfeiture of the property as set forth in this Stipulation to Modify Plea Agreement as to
22 Cameron Lee Thomas (Stipulation).

23 3. The defendant admits the following property is (1) any firearm or ammunition
24 involved in or used in any knowing violation of any criminal law of the United States, 18
25 U.S.C. §§ 113(a)(3) and 924(c)(1)(A)(i) and (2) any firearm or ammunition intended to be
26 used in any crime of violence, 18 U.S.C. §§ 113(a)(3) and 924(c)(1)(A)(i), and is subject to
27 forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c) and 18 U.S.C. §

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1 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c): Glock model 21 .45 caliber handgun
2 bearing serial number BECT 123 (property).

3 4. The defendant knowingly and voluntarily:

4 A. Agrees to the District Court imposing the civil judicial forfeiture or the
5 criminal forfeiture of the property;

6 B. Agrees to the abandonment, the civil administrative forfeiture, the civil
7 judicial forfeiture, or the criminal forfeiture of the property;

8 C. Abandons or forfeits the property to the United States;

9 D. Relinquishes all possessory rights, ownership rights, and all rights, titles, and
10 interests in the property;

11 E. Waives his right to any abandonment proceedings, any civil administrative
12 forfeiture proceedings, any civil judicial forfeiture proceedings, or any criminal forfeiture
13 proceedings of the property (proceedings);

14 F. Waives service of process of any and all documents filed in this action or any
15 proceedings concerning the property arising from the facts and circumstances of this case;

16 G. Waives any further notice to him, his agents, or his attorney regarding the
17 abandonment or the forfeiture and disposition of the property;

18 H. Agrees not to file any claim, answer, petition, or other documents in any
19 proceedings concerning the property;

20 I. Waives the statute of limitations, the CAFRA requirements, Fed. R. Crim.
21 P. 7, 11, and 32.2, all constitutional requirements, including but not limited to, the
22 constitutional due process requirements of any proceedings concerning the property;

23 J. Waives his right to a jury trial on the forfeiture of the property;

24 K. Waives all constitutional, legal, and equitable defenses to the forfeiture or
25 abandonment of the property in any proceedings, including, but not limited to, (1)
26 constitutional or statutory double jeopardy defenses and (2) defenses under the Excessive
27 Fines or Cruel and Unusual Punishments Clauses of the Eighth Amendment to the United
28 States Constitution;

1 L. Agrees to the entry of an Order of Forfeiture of the property to the United
2 States;

3 M. Waives the right to appeal any Order of Forfeiture;

4 N. Agrees the property is forfeited to the United States;

5 O. Agrees and understands the abandonment, the civil administrative forfeiture,
6 the civil judicial forfeiture, or the criminal forfeiture of the property shall not be treated as
7 satisfaction of any assessment, fine, restitution, cost of imprisonment, or any other penalty
8 the Court may impose upon the defendant in addition to the abandonment or the
9 forfeiture;

10 P. Acknowledges that the amount of the forfeiture may differ from, and may be
11 significantly greater than or less than, the amount of restitution; and

12 Q. Agrees to take all steps as requested by the United States to pass clear title of
13 the property to the United States and to testify truthfully in any judicial forfeiture
14 proceedings. The defendant understands and agrees that the property represents proceeds
15 and/or facilitating property of illegal conduct and is forfeitable. The defendant
16 acknowledges that failing to cooperate in full in the forfeiture of the property constitutes a
17 breach of this Stipulation.

18 5. Each party acknowledges and warrants that its execution of the Stipulation is
19 free and is voluntary.

20 6. The Stipulation contains the entire agreement between the parties.

21 7. Except as expressly stated in the Stipulation, no party, officer, agent, employee,
22 representative, or attorney has made any statement or representation to any other party,
23 person, or entity regarding any fact relied upon in entering into the Stipulation, and no
24 party, officer, agent, employee, representative, or attorney relies on such statement or
25 representation in executing the Stipulation.

26 8. The persons signing the Stipulation warrant and represent that they have full
27 authority to execute the Stipulation and to bind the persons and/or entities, on whose
28 behalf they are signing, to the terms of the Stipulation.

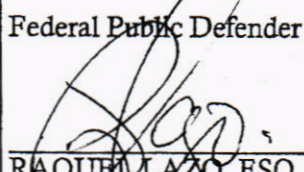
1 9. This Stipulation shall be construed and interpreted according to federal forfeiture
2 law and federal common law. The jurisdiction and the venue for any dispute related to,
3 and/or arising from, this Stipulation is the unofficial Southern Division of the United
4 States District Court for the District of Nevada, located in Las Vegas, Nevada.

5 10. This Stipulation shall not be construed more strictly against one party than
6 against the other merely by virtue of the fact that it may have been prepared primarily by
7 counsel for one of the parties; it being recognized that both parties have contributed
8 substantially and materially to the preparation of this Stipulation.

9 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was
10 reasonable cause for the seizure and forfeiture of the property.

11 DATED: 1/24/2019

12 Federal Public Defender

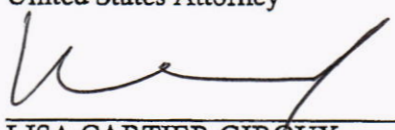
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14 
15 RAQUEL LAZO, ESQ.
16 Counsel for Cameron Lee Thomas

17 DATED: 1-24-19


18 
19 CAMERON LEE THOMAS

DATED: 1/24/2019

DAYLE ELIESON NICHOLAS A. TRUTANICH
United States Attorney


LISA CARTIER-GIROUX
Assistant United States Attorney

21 IT IS SO ORDERED:

22 
23 UNITED STATES DISTRICT JUDGE

24 DATED: January 30, 2019